

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REQUEST FOR FILING CONTINUATION/DIVISIONAL
APPLICATION UNDER 37 C.F.R. § 1.53(b)

Box PATENT APPLICATION
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is a request for filing a ☐ continuation ☒ divisional application under 37 C.F.R.
§ 1.53(b) of pending Application No. 08/803,085 filed on February 20, 1997, for GAMMA-1
ANTI-HUMAN CD23 MONOCLONAL ANTIBODIES AND USE THEREOF AS
THERAPEUTICS, by the following named inventor(s):

- (a) Full Name Mitchell E. Reff
- (b) Full Name William S. Kloetzer
- (c) Full Name Takehiko Nakamura

☒ The entire disclosure of the prior application from which a copy of the oath or declaration is
supplied herewith is considered as being part of the disclosure of the accompanying
application and is hereby incorporated by reference therein.

☐ This application is being filed by less than all the inventors named in the prior application.
In accordance with 37 C.F.R. 1.63(d)(2), the Commissioner is requested to delete the
name(s) of the following person or persons who are not inventors of the invention being
claimed in this application.

- (a) Full Name _____
- (b) Full Name _____
- (c) Full Name _____

1. ☒ Enclosed is a copy of the prior Application No. 08/803,085 as originally filed on
February 20, 1997, including copies of the specification, claims, drawings and the
executed oath or declaration as filed.
2. ☐ Enclosed is a revised prior application and a copy of the prior executed oath or
declaration as filed. No new matter has been added to the revised application.
3. ☐ _____ statement(s) claiming small entity status ☐ are enclosed ☐ were filed in
prior Application No. __, filed on __.

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of Application No. 08/803,085
Attorney's Docket No. 012712-699

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4. ☒ The filing fee is calculated below ☐ and in accordance with the enclosed preliminary amendment:

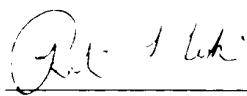
CLAIMS					
	NO. OF CLAIMS		EXTRA CLAIMS	RATE	FEE
Basic Application Fee					\$760.00
Total Claims	37	MINUS 20 =	17	x \$18.00 =	306.00
Independent Claims	1	MINUS 3 =	0	x \$78.00 =	0.00
If multiple dependent claims are presented, add \$260.00					0.00
Total Application Fee					1066.00
If small entity status is claimed, subtract 50% of Total Application Fee					0.00
Add Assignment Recording Fee of \$40.00 if Assignment document is enclosed					0.00
TOTAL APPLICATION FEE DUE					1066.00

5. ☐ Charge \$ _____ to Deposit Account No. 02-4800 for the fee due.
6. ☒ A check in the amount of \$ 1,066.00 is enclosed for the fee due.
7. ☒ The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in triplicate.
8. ☐ Cancel in this application original claims __ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
9. ☒ Amend the specification by inserting before the first line the sentence: --This application is a ☐ continuation, ☒ divisional, of Application No. 08/803,085, filed February 20, 1997.
10. ☐ Transfer the drawings from the pending prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate of this paper is enclosed for filing in the prior application file. (May only be used if signed by person authorized under 37 C.F.R. § 1.138 and before payment of issue fee.)

11. ☒ New drawings are enclosed.
12. ☐ Priority of Application No. filed on in (country) is claimed under 35 U.S.C. § 119.
☐ The certified copy of the priority application
 ☐ is enclosed
 ☐ was filed on in prior Application No. , filed on
 ☐ has not yet been filed.
13. ☒ A preliminary amendment is enclosed.
14. ☒ The Assignee of Record for this application is IDEC Pharmaceuticals Corporation and Seikagaku Corporation.
15. ☒ Also enclosed Request for Listing of References Considered by Examiner with PTO-1449s and Statement Pursuant to 37 C.F.R. §1.822 with Sequence Listing.
16. ☒ The power of attorney in the prior application is to E. Joseph Gess.
 a. ☒ The power appears in the original papers in the prior application.
 b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
 c. ☒ Recognize as Associate Attorney Robin L. Teskin, Reg. No. 35,030.
 d. ☒ Address all future communications to: (May only be completed by applicant, or attorney or agent of record.)

E. Joseph Gess
BURNS, DOANE, SWECKER & MATHIS, L.L.P.
P.O. Box 1404
Alexandria, Virginia 22313-1404

April 14, 1999
Date

By: 
Robin L. Teskin
Registration No. 35,030

ADDRESS OF
SIGNATOR:

BURNS, DOANE, SWECKER & MATHIS, L.L.P.
P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

- ☐ inventor(s)
☐ assignee of complete interest
☐ attorney or agent of record
☒ filed under 37 C.F.R. § 1.34(a)